

**FILED**

**NOV - 9 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RUSSELL BRADBERRY, individually and  
on behalf of a class of similarly  
situated individuals,

No. C 06-6567 CW  
No. C 07-5298 CW

Plaintiff,

v.

T-MOBILE USA, INC., a Delaware  
corporation,

Defendant.

ORDER RELATING  
CASES AND  
RESCHEDULING  
HEARING ON  
PLAINTIFF'S  
MOTION TO REMAND

RUSSELL BRADBERRY, individually and  
on behalf of a class of similarly  
situated individuals,

Plaintiff,

v.

MBLOX, INC., a Delaware corporation,

Defendant.

Plaintiff filed the above-captioned 06-6567 action against T-Mobile in this Court. He later filed a state court action against mBlox based on the same set of operative facts. mBlox removed this second action to federal court, where it was assigned to Judge Hamilton as Case No. 07-5298. On October 22, 2007, mBlox

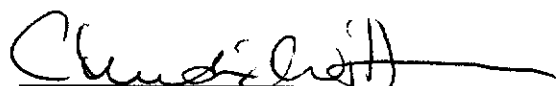
1 moved to consolidate the two cases. On October 29, 2007, the Court  
2 issued an order soliciting the parties' views on whether the two  
3 cases should be deemed related. On November 5, 2007, Plaintiff  
4 moved to remand the 06-6567 action to state court.

5 No party disputes that the 07-5298 case is related to the 06-  
6 6567 case within the meaning of Local Rule 3-12. Accordingly, the  
7 Court deems the cases related, and the 07-5298 case is hereby  
8 reassigned to the undersigned judge. If Plaintiff's motion to  
9 remand is denied, the cases may also be consolidated.

10 The hearing on Plaintiff's motion to remand is rescheduled for  
11 December 13, 2007 at 2:00 p.m. mBlox's opposition to that motion  
12 is due on November 26; Plaintiff's reply is due on November 29.  
13 The remainder of the deadlines already scheduled in the 06-6567  
14 case shall apply to the 07-5298 case as well.

15 IT IS SO ORDERED.

16  
17 Dated: NOV - 9 2007

  
CLAUDIA WILKEN  
United States District Judge